



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/581,748	06/16/2000	YOSHIFUMI YANAGAWA	2000-0759A	2704

7590

03/26/2003

WENDEROTH LIND & PONACK
2033 K STREET NW
SUITE 800
WASHINGTON, DC 20006

EXAMINER

DELA TORRE, CRESCELLE N

ART UNIT	PAPER NUMBER
----------	--------------

2174

DATE MAILED: 03/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/581,748

Applicant(s)

YANAGAWA ET AL.

Examiner

Crescelle dela Torre

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to communications: Preliminary Amendments, and prior art, all filed on 6/16/00.

This action is non-final.

Claims 1-45 are pending in this application. Claims 1, 2, 5, 13, 21-25, 28, 29, 32-40 are independent claims. In a first Preliminary Amendment, filed on 6/16/00, claims 3, 4, and 10-12 were amended, and claims 41-45 were added.

The present title of the invention is "Network Control System".

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The disclosure is objected to because of the following informalities: on page 29, line 16; "Fig. 4 is a diagram" should be replaced with "Figs. 4A-4C are diagrams".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-45 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 1, and also claims 2, 5, 13, 21-25, 28, 29, 32, and 33, it is not clear where the preamble ends and the body of the claim begins. For instance, in claim 1, does the preamble end at line 4 or at line 6? It would be helpful if a phrase, i.e., "said network control system comprising:" were included in the claim.

As per claim 2, on line 2, should "through" be added after "each other"? The same also applies to claims 5, 13, 21-23, and 34-40.

As per claim 24, it is not clear what is being claimed with a "second unit that is connected through a transmission path to a first unit including a controller and includes a device controlled by said controller through said transmission path". Does this represent a system, apparatus, or something else? Claims 25-33 are similarly rejected for claiming a "first unit" or "second unit".

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2174

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 2, 4, 21, 22, 24-27, 34, 35, 38, 39, and 42 are rejected under 35

U.S.C. 102(e) as being anticipated by Yoshino et al (U.S. patent 6,131,111).

As per claim 1, Yoshino et al, hereinafter Yoshino, teach a network control system, with interconnected first and second units, at figure 1, and column 3, lines 14-20, comprising:

a) at least one of the first and second units handling one of audio, video, and information, at column 3, lines 14-20;

the device

b) having screen display data for displaying a device operating screen and identification information, at figures 15, 19;

c) transmitting the screen display data and identification information through the transmission path, at column 4, lines 48-49, 53-67; and

the controller

d) comprising a user interface with display means, at figures 15, 18;

e) receiving the screen display information and identification information from the device, at column 4, lines 58-67;

f) displaying the operating screen, at figures 15, 18, 19; and

g) in response to user operation, controlling the device by transmitting operation information and identification information to the device, at column 8, line 63 to column 9, line 13.

Claim 2 is similar to claim 1, elements (a)-(g) and also displays the identification information, in addition to the operating screen, at figures 15, 18, 19.

As per claim 4, Yoshino also teaches operating position information, with position 501, at column 6, line 38.

Regarding claim 21, it is similar to elements (a)-(f) of claim 1, while claim 22 is similar to elements (a)-(f) of claim 2.

Claims 24 contains elements (a)-(c), (e), (f) of claim 1, while claim 25 contains elements (a), (d)-(g) of claim 2.

As to claim 26, 27, both are similar to claim 4.

As per claim 34, it is similar to elements (c), (f), (g) of claim 1, while claim 35 is similar to elements (c), (f), (g) of claim 2.

Regarding claim 38, it is similar to elements (c), (f) of claim 1, while claim 39 is similar to elements (c), (f) of claim 2.

As per claim 42, it corresponds to claim 4.

7. Claims 5-9, 11-20, 23, 28-33, 36, 37, 40, 44, and 45 are rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi et al (U.S. patent 5,887,193).

As to claim 5, Takahashi et al, hereinafter Takahashi, teach a network control system with interconnected first and second units, at figures 2(a)-2(c), and column 6, lines 59-62, comprising:

a) at least one of the first and second units handling one of audio, video, and information, at figure 1, and column 6, lines 48-53;

the device

b) having screen display data composed of a plurality of partial screen display data, at figure 21, and column 14, lines 18-27, for displaying an device operating screen, at figure 20, and column 14, lines 12-17;

c) transmitting the partial screen display data to the multimedia controller, at column 6, lines 41-45; and

the controller

d) comprising a user interface with display means, at column 8, line 28;

e) receiving the partial screen display data from the device, at figure 7, and column 9, line 60 to column 10, line 9;

f) displaying the operating screen using the partial screen display data, at figure 20; and

g) in response to user operation, controlling the device by transmitting operation information to the device, at column 6, lines 45-48.

As to claim 6, Takahashi teaches the following:

(a) when the screen display data changes, transmitting changed partial screen display data, at figure 73, and column 48, lines 16-19; and

(b) updating the displayed operating screen, at column 48, lines 29-41.

Regarding claim 7, Takahashi teaches:

(a) the device has partial screen identification information, at figures 20, 21, and column 14, lines 2-27; and

(b) transmits the partial screen data and identification information, at column 6, lines 41-45; and

(c) the controller receives partial screen data and identification information, at figure 7, and column 9, line 60 to column 10, line 9.

As to claim 8, it is similar to elements (a), (b) of claim 6.

As per claim 9, Takahashi teaches that in response to user operation, at column 48, lines 13-16, the controller transmits operation information and partial screen identification information, at column 48, lines 18-19.

In addition, Takahashi teaches a display element arranged in a display part [claim 11] and a display element corresponding to each operation [claim 12], both at figures 20, 21.

Regarding claim 13, it is similar to claim 5, elements (a)-(g). In addition, Takahashi teaches overlap display data, at figure 21, and column 14, lines 18-27.

Takahashi teaches cursor information [claim 14] that includes position information [claim 15], at column 13, lines 12-13.

Furthermore, Takahashi inherently teaches that the cursor information includes shape [claim 16], size [claim 17], color [claim 18], and enable [claim 19] information at figure 22, and column 16, lines 1-38.

As to claim 20, it is similar to elements (a), (b) of claim 6.

Claim 23 corresponds to claim 13, elements (a)-(f).

Claim 28 is similar to elements (a), (b), (c), (g) of claim 5, while claim 29 is similar to elements (a), (d)-(g) of claim 5.

Claim 30 corresponds to claim 6(a), while claim 31 corresponds to claim 6(b).

As per claim 32, it contains elements (a)-(c), (g) of claim 13, while claim 33 contains elements (a), (d)-(g) of claim 13.

As per claim 36, it is similar to elements (c), (f), (g) of claim 5, while claim 37 is similar to elements (c), (f), (g) of claim 13.

Regarding claim 40, it is similar to elements (c), (f) of claim 13, while claims 44, 45 correspond respectively to claims 11, 12.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 3 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshino et al (U.S. patent 6,131,111) in view of Tsutsumitake (U.S. patent 5,857,206).

Regarding claim 3, and also claim 41, Yoshino does not specifically teach that the identification information includes version information.

However, it is known in the art that screen display data can include version information. For instance, Tsutsumitake teaches identifier information and determining whether or not the stored information is an updated version, at column 2, lines 33-38.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include version information because it ensures that the user accesses the most current information.

11. Claims 10 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al (U.S. patent 5,887,193) in view of Tsutsumitake (U.S. patent 5,857,206).

Regarding claim 10, and also claim 43, Takahashi does not specifically teach that the identification information includes version information.

However, it is known in the art that screen display data can include version information. For instance, Tsutsumitaké teaches identifier information and determining whether or not the stored information is an updated version, at column 2, lines 33-38.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include version information because it ensures that the user accesses the most current information.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dev et al (U.S. patent 5,261,044) and Kuwamoto et al (U.S. patent 5,353,399) describe network management systems.

Dangler et al (U.S. patent 5,283,861) describe remote control of a local processor console.

Iwamura (U.S. patent 5,883,621) teaches a topology map for controlling various devices.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crescelle dela Torre whose telephone number is (703) 305-9782. The examiner can normally be reached on Monday-Thursday, from 8am-4pm, and on alternate Fridays, from 8am-3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (703) 308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for official communications; (703) 746-7238 for After Final communications; and (703) 746-7240 for non-official or draft communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


CRESCELLE N. DELA TORRE
PRIMARY EXAMINER